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Attorneys for Plaintiff
D.H., a minor, by and through her
Guardian Ad Litem, K.H.

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CLERK OF COURT
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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

D.H., a minor, by and through her
Guardian Ad Litem, K.H.,

Plaintiff,

vs.

Poway Unified School District, and DOES
1-100, inclusive,

Defendants

Case No.

'09 CV 2621 L NLS

APPLICATION FOR APPOINTMENT FOR
GUARDIAN AD LITEM and ORDER

Kevin Harrington, in support of his Application for an Order for Appointment as
Guardian Ad Litem for Delanie Harrington, a minor, to prosecute a claim in this Court for
the minor, would show as follows:

Kevin Harrington is the father of Delanie Harrington, a minor under the age
of 18 years. Kevin Harrington and Delanie Harrington are both residents of

APPLICATION FOR APPOINTMENT FOR GUARDIAN AD LITEM and ORDER

CR

1 the State of California and reside at 14145 Durhullen Drive, Poway, CA
2 92064.

- 3 1. Delanie Harrington does not have a guardian ad litem or duly appointed
4 representative.
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6 2. Kevin Harrington and Delanie Harrington, seek to file a complaint to obtain
7 an order reversing the decision of the California Office of Administrative
8 Hearing Due Process case number OAH N2009051033, and for violation of
9 the Americans with Disabilities Act and Section 504 of the Rehabilitation
10 Act of 1973.
11
12 3. Kevin Harrington has no interests adverse to the rights of Delanie
13 Harrington, and is fully competent and responsible to prosecute the
14 proposed action for Delanie Harrington.

15 Wherefore, Kevin Harrington prays that he be appointed Guardian Ad Litem for
16 Delanie Harrington for the purpose of prosecuting the minor's claim against the
17 defendant, and further prays that the Complaint be allowed to be filed and litigated
18 therein.
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20 Dated: November 12, 2009

GREY & GREY

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22 By 
23 David M. Grey
Attorneys for Plaintiffs
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DECLARATION OF KEVIN HARRINGTON

I, Kevin Harrington, declare:

1. I am the father of Delanie Harrington, a minor under the age of 18 years.

2. Delanie Harrington is deaf and is a student who resides in the jurisdiction of the Defendant Poway Unified School District ("the District.")

3. Grey & Grey filed an Administrative Due Process case on Delanie Harrington's behalf against the District. I participated in the hearing in that matter, including attending the hearing on every day that it was held.

4. I have received the decision from the Administrative Due Process case, dated October 28, 2009.

5. On behalf of my daughter Delanie, I intend to file a complaint in Court to ask for a reversal of that decision, as well as for violation of the ADA and Section 504 of the Rehabilitation Act of 1973.

6. Delanie and I are both residents of the State of California and reside at 14145 Durhullen Drive, Poway, CA 92064.

7. Delanie does not have a Guardian Ad Litem or duly appointed representative for this proceeding.

8. I have no interest adverse to the rights of Delanie, and am fully competent and responsible to prosecute the proposed action for her.

9. I consent to the appointment as guardian ad litem for Delanie Harrington


I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct and is of my own personal knowledge.

1 Executed at Poway, California / 12th day of November, 2009.

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3 
4 Kevin Harrington

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7 I consent to the appointment of my father, Kevin Harrington as guardian ad litem. I
8 declare under penalty of perjury under the laws of the United States and the State of
9 California that the foregoing facts are true and correct.

10 Executed ____ at Poway, California / 12th day of November, 2009.

11
12 
13 Delanie Harrington

14 THE COURT FINDS that it is reasonable and necessary to appoint a guardian ad
15 litem for Delanie Harrington, a minor. The Court orders Kevin Harrington be appointed
16 as the guardian ad litem for Delanie Harrington.

17 Dated:
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21 JUDGE OF THE COURT
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